

FORM TO BE USED BY PRISONERS IN FILING A COMPLAINT
UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983
in the UNITED STATES DISTRICT COURT for the SOUTHERN DISTRICT of GEORGIA

Mr. Frank B. Vurgess Jr.

CV 420 298

(Enter above full name of plaintiff or plaintiffs)

v.

Officer J. Best of the Chatham County
detention center

(Enter above full name of defendant or defendants)

FILED
U.S. DISTRICT COURT
SAVANNAH DIV.
2020 NOV 30 AM 11:25
CLERK
SO. DIST. OF GA.

I. Previous lawsuits

- A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action? Yes _____ No ☒

If your answer to A is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiffs: _____

Defendants: _____

N/A

2. Court (if federal court, name the district; if state court, name the county):

3. Docket number: _____

N/A

4. Name of judge assigned to case: _____

5. Disposition
(for example, was the case dismissed? appealed? is it still pending?):

6. Approximate date of filing lawsuit: _____ N/A
7. Approximate date of disposition: _____
8. Were you allowed to proceed *in forma pauperis* (without prepayment of fees)? Yes _____ No _____

- B. While incarcerated or detained in any facility, have you brought any lawsuits in federal court which deal with facts other than those involved in this action? Yes _____ No ☒

If your answer to B is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to previous lawsuit:
- Plaintiffs: _____
- Defendants: _____ N/A
2. Court (name the district): _____
3. Docket number: _____ N/A
4. Name of judge assigned to case: _____
5. Disposition
(for example, was the case dismissed? appealed? is it still pending?):
_____ N/A
6. Approximate date of filing lawsuit: _____

7. Approximate date of disposition: _____
8. Were you allowed to proceed *in forma pauperis* (without prepayment of fees)? Yes ☒ No ☐

- C. As to any lawsuit filed in federal court where you were allowed to proceed *in forma pauperis*, was any suit dismissed on the ground that it was frivolous, malicious, or failed to state a claim? Yes ☐ No ☒

1. If your answer to C is yes, name the court and docket number for each case:

_____	_____
_____	_____
_____	_____
_____	_____

II. Place of present confinement: Chatham county detention center

- A. Is there a prisoner grievance procedure in this institution? Yes ☒ No ☐
- B. Did you present the facts relating to your complaint to the appropriate grievance committee? Yes ☒ No ☐
- C. If your answer to B is yes:

1. What steps did you take? I filed a grievance through the electronic kiosk system here, I informed Sgt. Nevals in unit 2 that I feared for my safety & security.
2. What was the result? Sgt. N. Nevals concealed the information and responded to me by saying he holds his officers to a high standard and I should not fear him (officer Best), Sgt. refused to forward my request to internal affairs or to the Captain of security.

3. Did you appeal any adverse decision to the highest level possible in the administrative procedure? Yes ☒ No ☐

If yes, what was the result? Sgt. N. Nevals concealed the info and refused to forward the appeal.

- D. If you did not utilize the prison grievance procedure, explain why not: _____

N/A

III. Parties

(In Item A below, list your name as plaintiff and current address. Provide the name and address of any additional plaintiffs on an attached sheet.)

- A. Name of plaintiff: Mr. Frank B. Vergess Jr.
Address: 1074 Carl Griffin Drive
Savannah Ga 31405

(In Item B below, list the defendant's full name, position, place of employment, and current address. Provide the same information for any additional defendants in Item C below.)

- B. Name of defendant: Officer J. Best
Position: Correctional Officer / Deputy Sheriff
Place of employment: Chatham County Detention Center
Current address: 1050 Carl Griffin Dr.
Sav, Ga 31405

- C. Additional defendants: _____

IV. Statement of Claim

State here as briefly as possible the FACTS in your case. Describe how each defendant is personally involved in the depriving you of your rights. You must include relevant times, dates, places, and names of witnesses. DO NOT GIVE LEGAL ARGUMENTS OR CITE ANY CASES OR STATUTES. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

On date of 8-28-2020 while in unit 2D ^{Chatham county detention center} fully shackled in metal cuffs at the ankle & wrists with black box between wrists to prevent any single hand motions, Officer Best suddenly & maliciously attacked me. His 1st attack was a very rough & sudden grab & snatch motion that not only scared me but caused me to lose my balance. I did my best to hold on to him & he began to slam me very hard against the wall to the point i was getting dizzy, i attempted to bite him in hopes that he would stop attacking me but he only became more vicious, he began to punch me in my face and then slammed me very hard against the floor. After this incident i was placed in a 'strip cell' with no clothing, no mattress, or bed linens & restricted from all my property with no way to use a tablet or kiosk to email or a phone to contact my family. The use of force by officer Best was excessive & unnecessary, he attacked me out of malice with a intent to hurt or kill me. While fully restrained there was no way i could cause myself or anyone else any harm. I suffered a cut to the eye as well as other bruises on my face & wrist and my back. While in the cell after being attacked i was seen by a nurse briefly who refused to order me x-rays or take pictures & have me examined, i was only offered tylenol. My witness to this situation is the cameras (video & audio) security system in unit 2D from date of 8-28-2020. I fear for my safety around officer Best, his attack not only caused me physical harm but mental & emotional stress as well, i request an attorney as i am void of the proper education & means to collect & present the camera footage & make proper & timely filings in this matter ^{as} i am currently detained at the Chatham county detention center which does not provide legal aid and assistance on this matter.

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V. Relief

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

- ① I request that officer Best be ordered to pay me \$150,000.00 in U.S. currency
- ② I request that officer Best be ordered to reimburse me for the cost of this civil complaints' filing fee
- ③ I request that officer Best be ordered to pay any & all attorney fees in full that arise from this matter on my behalf
- ④ I request that a injunctive order be made for all officers in unit 20 & 2C to wear active body cams while active in units
- ⑤ I request that a injunctive order be made for me to be released to a active address here in chatham county Ga while awaiting any court dates set in the Chatham county Superior court.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this _____ day of _____, 2020.

Prisoner No. _____

Paul D. Voss Jr
(Signature of Plaintiff)

CERTIFICATE OF SERVICE

I, Mr. Frank B. Vurgess Jr. (the petitioner) certifies that I have served the below listed party with adequate copies of the foregoing & attached 1983 civil complaint, and has done so by way of U.S. mail, "the original handwritten copy to be filed on record, "1 copy to be forwarded to defendant, "1 copy to be returned to petitioner once it has been stamped or scanned as filed in office, "1 copy for review by U.S. District Court Judge....

Clerk of U.S. District Court
P.O. Box 8286
Sav, Ga 31412

Respectfully Submitted

Mr. Frank B. Vurgess

Mr. Frank B. Vurgess
1074 Carl Griffin Dr.
Sav, Ga 31405

Frank B. Urgess
1074 Carl Griffin Dr
SAVANNAH, GA 31405

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31412